

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA

Plaintiff,

v.

LEVI McLEAN FRANKLIN COOLLEY,

Defendant.

8:12MJ40 (D. Nebr.)

12-04008-01/09-CR-C-NKL (W.D. MO)

Magistrate Judge Gossett

**FILED
US DISTRICT COURT
DISTRICT OF NEBRASKA**

MAR 20 2012

OFFICE OF THE CLERK

RULE 5 ORDER

An Indictment having been filed in the district court for the Western District of Missouri, Central Division, charging the above-named defendant with violation of Title 21, United States Code, Sections 841(a)(1) and 846 and the defendant having been arrested in the District of Nebraska, proceedings to commit defendant to another district were held in accordance with Fed.R.Cr.P.5. The defendant had an initial appearance here in accordance with Fed.R.Cr.P.5 and was informed of the provisions of Fed.R.Cr.P.20. Additionally, defendant

- () Was given an identity hearing and found to be the person named in the aforementioned charging document
- (x) Waived an identity hearing and admitted that he/she was the person named in the aforementioned charging document.
- () Requested a preliminary examination be held in the charging district.
- () Was afforded a preliminary examination in accordance with Fed.R.Cr.P.5.1 and, from the evidence it appears that there is probable cause to believe that an offense has been committed and that the defendant committed it.
- (x) The government moved for detention.
- (x) Knowingly and voluntarily waived a detention hearing in this district and reserved the right to a detention hearing in the charging district.
- () Was given a detention hearing in this district.

Accordingly, it is ordered that the defendant is held to answer in the charging district.

- (x) Defendant has been unable to obtain release under the Bail Reform Act of 1984, 18 U.S.C. § 3141 et.seq. and the U.S. Marshal is commanded to take custody of the above named defendant and to transport the defendant with a certified copy

of this order forthwith to the charging district specified above and there deliver the defendant to the U.S. Marshal for that district or to some other officer authorized to receive the defendant, all proceedings required by Fed.R.Cr.P.5 having been completed.

- () Defendant has been released in accordance with the provisions of the Bail Reform Act of 1984, 18 U.S.C. § 3141 et.seq. The defendant is to appear before the district court of the prosecuting district at such times and places as may be ordered. All funds, if any, deposited on behalf of this defendant with the Clerk of Court pursuant to the Bail Reform Act, shall be transferred to the prosecuting district.

IT IS SO ORDERED.

DATED in Omaha, Nebraska dated this 20th day of March, 2012.


s/ F.A. Gossett
U.S. Magistrate Judge